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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,906	12/10/2003	Michael T. McKibben	LET01-GN005	5793

30074 7590 03/14/2011

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EXAMINER	
LIE, ANGELA M	
ART UNIT	PAPER NUMBER
2163	
MAIL DATE	DELIVERY MODE
03/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/731,906	MCKIBBEN ET AL.	
	Examiner	Art Unit	
	ANGELA M. LIE	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 December 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 16-50* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 16-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-12 and 16-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Petersen et al (US Patent No. 6308179), hereinafter referred to as Petersen.

As to claims 1, 16, 24, 31, 36, 37 and 49, Petersen discloses a method and a system comprising: a storage device adapted to store data and contextual metadata, the contextual metadata being associated with (column 17, lines 48-50 and figure 5, "document storage"): a) data component that is associated with one or more data operations being performed on the data (column 18, lines 30-38, wherein a link allows to relate actions/events and corresponding portions of data); and b) a tagging component that automatically tags contextual information to the contextual metadata when the data is created, the contextual information being at least one of automatically generated information generated by the system upon creation of the data and automatically generated information generated by the system upon the one or more data operations being performed on the data (column 17, lines 48-59 and column 18, lines 30-38); and a computer device linked via one or more communication links to the storage device (Figure 6a, wherein browser 96a, can not run without hardware, hence a computer device is inherent), the computer device adapted to execute a software tool

configured to perform the steps of: performing one or more data operations (Figure 6a, element 96a, wherein browser allows to perform plurality of the functions on a document), by the user, on the data while in the first user context to which the software tool is associated; automatically tagging contextual information related to the user, the software tool, and the first user context to the data as contextual metadata upon one or more data operations being performed on the data while in the first context to which the software tool is associated; updating the contextual metadata based upon the one or more data operations; automatically tagging contextual information related to the user, the software tool (column 17, lines 48-67 and column 18, lines 1-38, wherein documents are automatically associated with properties/tags while they are created or modified. For instance, the tag may reflect document's creator name or date associated with its last modification), and the second user context to the data as contextual metadata upon one or more data operations being performed on the data while in the second context to which the software tool is associated; and updating the contextual metadata based upon the one or more data operations (column 18, lines 23-32, wherein another user can introduce the modification to the document, and the properties/tags associated with the modified content are automatically updated and/or added).

Regarding claim 49, please note that the first and the second contexts are interpreted as email messages or an html files (see column 17, lines 55 and 56). Furthermore, each email or HTML file has tags (i.e. contextual data) associated with them which are updated whenever changes are introduced to the content of the first and second contexts.

As to claims 24 and 37, the first and second contexts correspond to the application from which a user can access documents and introduce changes or perform a desired action on a document, for instance e-mail, browser etc.

As to claims 31, 36, 37 and 44, Peterson teaches the method further comprising linking one or more other users with the location of the data (column 7, lines 9-19, wherein property set corresponds to a particular document which is stored at certain position, thus associating a user with a property set also associates/links, the user with the location where the document, associated with the property set, is stored).

With respect to claims 38-43, Petersen also teaches that the first context as well as the second could be a web page (column 11, lines 25-34).

As to claims 2 and 25, Peterson further teaches the contextual information being tagged to the data when the data is being saved (column 13, lines 54-65 and column 18, lines 30-38, wherein property/tag can be created when a specific event takes place, for instance saving data).

As to claims 3 and 26, Peterson discloses the contextual information being tagged to the data when the data is first saved (column 13, lines 54-65 and column 17, lines 48-59, wherein when a document is created and saved, the date of creation as well other information can be automatically added (i.e. tagged)).

As to claim 4, Peterson discloses teaches the contextual information being representative of the user context that is associated with a board (column 17, lines 48-59, wherein document creator's name can be included in a form of property/tag, and

wherein a user can be a member of a board, so his/her name would be an association with a board).

As to claims 5 and 35, Peterson also discloses the contextual information being automatically tagged to any type of data created in association with the user context (column 17, lines 48-59, wherein tags can include information about the creator, date of creation, or content specific, thus tags are created in association with the user context).

As to claims 6, 7, 17, 18 and 23, Peterson discloses the contextual information including a link to a storage location of the data, which link is assigned to each user of the user context in which the data was created (column 17, lines 42-47 and column 18, lines 23-32, wherein properties are stored separate from the underlying documents, and they are associated with a particular user. Further the properties are related to a document so that each set of properties (associated with a particular user) has its link to a particular document).

As to claim 8, Peterson discloses the contextual information being associated with the user context, which user context is further associated with an application tool that is used to generate data (Figure 6a, wherein the application tools could be a browser, application, e-mail etc, wherein each of those tools allows to conduct operations on existing data).

As to claim 9, Peterson discloses the application tool including a pointer for each user associated with the user context (column 10, lines 26-32, wherein the properties can be associated with a particular user).

As to claims 10 and 20, Peterson discloses the pointer to a storage location of the data (column 10, lines 33-40, wherein documents can be stored in the organized clusters based on their properties and properties act as a pointer that allows to access document from a particular location).

As to claim 11, Peterson teaches the data component monitoring the data being created from one or more applications that perform data operations related to at least one of (including but not limited to) telephony, unified messaging, decision support, document management (Figure 6a, elements 96a-f, wherein the documents can be managed according to plurality of applications, e-mail, HTML, browser etc), portals, chat, collaboration, search, vote, relationship management, calendar, personal information management, profiling, video, directory management, executive information systems, dashboards, cockpits, tasking, meeting and, web and video conferencing.

As to claim 12, Peterson teaches the contextual information including context data that is representative of a user context, which context data is automatically tagged to the data (column 17, lines 48-59, wherein there are active and static tags which could creator name or be associated with the header of the email (i.e. user context)).

As to claim 19, Peterson teaches the contextual information being associated with the user context, which user context is further associated with an application tool that is used to generate data; the application tool including a pointer for each user associated with the user context (column 17, lines 54-59, wherein email message (i.e. application tool) can be utilized to create tags. For instance header of the e-mail can be used to create a user context based tag. Furthermore e-mail application is used to

generate document (i.e. email message) and wherein each e-mail has user's account (i.e. pointer) associated with it).

As to claim 21, Peterson teaches the pointer being generated with read-only access (column 10, lines 14-17, wherein static properties pointing to documents have no behavior (i.e. are not modifiable)).

As to claim 22, Peterson teaches the one or more data operations causing updating of at least one of the contextual information and the data (column 13, lines 54-67 and column 18, lines 35-39, wherein property generator can automatically generate new properties/tags based on predefined actions and column 14, lines 12-14).

As to claim 27, Peterson teaches the method further comprising tagging the contextual information to the data in accordance with a backup operation (column 11, lines 51-63, wherein documents are tagged so that the relationship among the documents is maintained (so that if backup would need to be performed the relationship among the documents is well known). In other words, reference documents point to the base document).

As to claim 28, Peterson teaches the method further comprising linking one or more users of the user context to the data using the contextual information (column 10, lines 26-32, wherein properties are associated with a particular user).

As to claim 29, Peterson teaches the one or more users being granted at least read access to the data (column 7, lines 15-20).

As to claim 30, Peterson teaches the method further comprising encoding the location of the stored data such that the encoded location is processed to access the

stored data (column 7, lines 46-59, wherein properties are used to access documents at their location).

As to claim 32, Peterson teaches the user and the one or more other users being associated with a user context of the user (column 7, lines 15-20, wherein more than one user can use certain property set).

As to claims 33 and 46, Peterson teaches the method further comprising linking the data with the one or more other users of other respective user contexts (column 11, lines 51-63, wherein each document can have user specific properties associated with it, and then document can be linked, so in result all the properties are also linked).

As to claims 34 and 47, Peterson teaches the data being linked using a webslice (column 11, lines 51-67, wherein user can view properties and specific information associated with other linked documents).

As to claim 44, Peterson teaches the method further comprising linking one or more other users with the location of the data (column 7, lines 9-19, wherein property set corresponds to a particular document which is stored at certain position, thus associating a user with a property set also associates/links, the user with the location where the document, associated with the property set, is stored).

As to claim 45, Peterson teaches the method wherein the user and the one or more other users are associated with at least one of a first context and a second context of the user (column 7, lines 9-19, wherein users using certain property set to access data, are considered to be associated with it. Further wherein first and second context correspond to property sets that are created in response to users' actions).

As to claim 48, Peterson teaches the method wherein the user is linked to the location of the data from another context to which the user has access (column 7, lines 46-59, wherein user uses properties tags to access document rather than directly accessing location at which document resides).

As to claim 50, Peterson teaches the method wherein the first context is at least one of a first web page, a first workspace, a first portal, a first environment, a first profile, a first board, a first Uniform Resource Locator and first link (column 17, lines 55 and 56, wherein first context corresponds to a first email or an HTML file); and wherein the second context is at least one of a second web page, a second workspace, a second portal, a second environment, a second profile, a second board, a second Uniform Resource Locator and second link (column 17, lines 55 and 56, wherein first context corresponds to a second email or an HTML file. Note that user may have multiple email massages or HTML files (i.e. environments) and each of them has tags associated with the their content (i.e. contextual data)).

Response to Arguments

3. Applicant's arguments filed December 20, 2010 have been fully considered but they are not persuasive.

4. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Inquiry

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA M. LIE whose telephone number is (571)272-8445. The examiner can normally be reached on M-F.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela M Lie/
Primary Examiner, Art Unit 2163